

Click or tap here to enter text.UNITED STATES  
BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

**Caption in Compliance with D.N.J. LBR 9004-1(b)**

COLLERAN, O'HARA & MILLS, L.L.P.  
Thomas P. Keane, Esq.  
100 Crossway Park Drive West, Suite 200  
Woodbury, New York 11797  
P: (516) 248-5757  
F: (516) 742-1765  
E: tpk@cohmlaw.com

*Counsel to Defendant Tile Setters and Tile Finishers  
Union Of New York And New Jersey, Local No. 7  
Of the International Union of Bricklayers and Allied  
Craftworkers*

In Re:

KIMO TILE @ MARBLE, LLC d/b/a KIMO TILE  
& MARBLE, LLC,  
Debtor.

Chapter 11

**Case No.:** 24-20009-JNP

**Adv. Proc. No.:** 25-01226-JNP

KIMO TILE @ MARBLE, LLC d/b/a KIMO TILE  
& MARBLE, LLC,

Plaintiff,

v.

TILE SETTERS AND TILE FINISHERS UNION  
OF NEW YORK AND NEW JERSEY, LOCAL NO.  
7 OF THE INTERNATIONAL UNION OF  
BRICKLAYERS AND ALLIED  
CRAFTWORKERS; and TRUSTEES OF THE  
LOCAL 7 TILE INDUSTRY WELFARE FUND,  
TRUSTEES OF THE LOCAL 7 TILE INDUSTRY  
ANNUTY FUND, TRUSTEES OF THE TILE  
LAYERS LOCAL UNION 52 PENSION FUND,  
TRUSTEES OF THE LOCAL 7 TILE INDUSTRY  
RETIREE WELFARE FUND, TRUSTEES OF THE  
LOCAL 7 TILE INDUSTRY VACATION FUND,  
TRUSTEES OF THE LOCAL 7 TILE INDUSTRY

SUPPLEMENTAL FUND, TRUSTEES OF THE LOCAL 7 TILE INDUSTRY PROMOTIONAL FUND, TRUSTEES OF THE LOCAL 7 TILE INDUSTRY TRAINING FUND, TRUSTEES OF THE LOCAL 7 TILE INDUSTRY BUILDING FUND, TRUSTEES OF THE LOCAL 7 TILE INDUSTRY DEFENSE FUND, TRUSTEES OF THE LOCAL 7 TILE INDUSTRY LOCAL POLITICAL ACTION COMMITTEE, TRUSTEES OF THE BRICKLAYERS & TROWEL TRADES INTERNATIONAL PENSION FUND, THE INTERNATIONAL MASONRY INSTITUTE, AND THE TRUSTEES OF THE BRICKLAYERS AND ALLIED CRAFTWORKERS POLITICAL ACTION COMMITTEE,

Defendants.

### **NOTICE OF MOTION**

**PLEASE TAKE NOTICE** that, upon the Defendant's Memorandum of Law in Support of its Motion to Dismiss, the Declaration of Thomas P. Keane, Esq., with Exhibits in Support, the Affidavit of Chris Avallone with Exhibits in Support, sworn to on 18th day of July, 2025, and all prior papers and proceedings herein, Defendant Union will move this Court, before the Honorable Jerrold N. Poslusny, at the United States Bankruptcy Court for the District of New Jersey, 400 Cooper Street, Camden, New Jersey 08101, on August 22, 2025, for an Order Dismissing Plaintiff's Verified Complaint for Lack of Subject Matter Jurisdiction and for Failure to State a Claim on Which Relief can be Granted, and for other such relief as the Court may deem just and proper.

Please take further notice that pursuant to D.N.J. LBR 9013-2, any opposition to a motion must be filed and served no later than 7 days before the hearing date.

Dated: Woodbury, New York  
July 18, 2025

COLLERAN, O'HARA & MILLS L.L.P.  
*Attorneys for Defendant Union*



By: \_\_\_\_\_  
THOMAS P. KEANE  
100 Crossway Park Drive West, Suite 200  
Woodbury, New York 11797  
(516) 248-5757  
tpk@cohmlaw.com

TO:

Edmund M. George  
*Attorney for Plaintiff Kimo Tile*  
Obermayer Rebmann Maxwell & Hippel  
Centre Square West  
1500 Market Street, Ste 3400  
Philadelphia, PA 19102  
edmond.george@obermayer.com

Maura S. Moosnick  
*Attorney for Defendants Local 7 Tile Benefit Funds*  
Virginia & Ambinder LLP  
40 Broad Street Ste 7th Floor  
New York, NY 10004  
mmoosnick@vandallp.com

Nicole M. Nigrelli  
*Subchapter V Trustee*  
Ciardi Ciardi & Astin  
1905 Spruce Street  
Philadelphia, PA 19103  
nnigrelli@ciardilaw.com